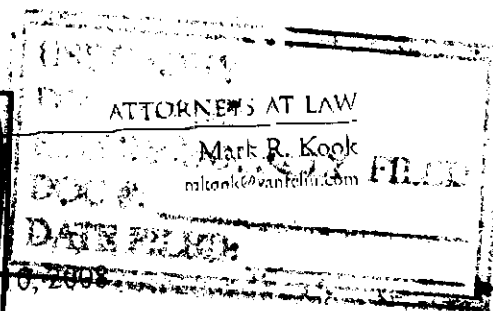
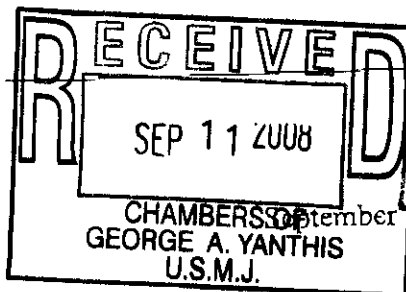


MEMO ENDORSED

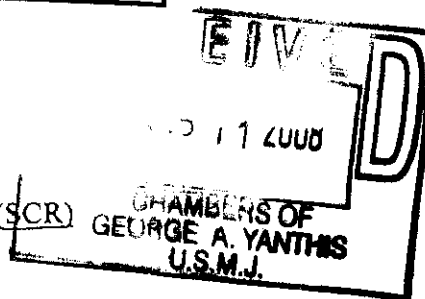
VANDENBERG & FELIU
LLP



VIA FAX

Magistrate Judge Yanthis
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601-4150

Re: Buckley v. NXP, et al., 07 Civ. 6775 (SCR)



Your Honor:

This firm represents Plaintiff John Buckley in the referenced matter. Defendants are represented by Joseph DeGiuseppe of Bleakly Platt & Schmidt LLP. This letter is written jointly to request an adjustment to the briefing schedule set forth in Your Honor's Order dated August 18, 2008.

On August 26, 2008, Defendants submitted two motions. The first motion is a motion to disqualify Plaintiff's counsel; the second motion is a motion to dismiss the ERISA section 510 claim as against all Defendants, and to dismiss the Defendant Pension Plan from the case altogether.

According to the August 18 Scheduling Order, Plaintiff's opposition papers are due on September 16, and Defendants' reply papers are due on September 23. Unfortunately, due to the press of other business, including a lengthy TRO hearing in state court (*Epiq, et al v. Hartie, et al.*, 111950/08) which is still ongoing, we are unable to meet this schedule. Defendants' counsel, Mr. DeGiuseppe, has consented to the following revised schedule:

- Opposition papers filed on September 30
- Reply papers filed on October 14

Therefore, we respectfully request that the court "so order" this revised schedule. This application is the first application that has been made to revise the briefing schedule on these motions.

Approved:
SO ORDERED:

Thank you for your attention to this request.

George A. Yanthis
Hon. George A. Yanthis
United States Magistrate Judge.

Sincerely,

Christopher A. D'Angelo
Christopher A. D'Angelo

cc: Joseph DeGiuseppe, Esq. (via fax)
John Buckley